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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/660,244

09/11/2003

Noel Woodard

5364

500

7590

08/23/2005

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EXAMINER

NGUYEN, PHUNG

ART UNIT

PAPER NUMBER

2632

DATE MAILED: 08/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/660,244

Applicant(s)

WOODARD ET AL.

Examiner

Phung T. Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 12 April 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1,5-8,10-13 and 15-30 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 30 is/are allowed.
- 6) ☒ Claim(s) 1,5-8,10,12,13,15-26 and 29 is/are rejected.
- 7) ☒ Claim(s) 11,27 and 28 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

**DETAILED ACTION**

***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 6, 10, 12, 16, 18, 20, 23, 24, 26, and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Petite (US 2001/0024163) in view of Fahie et al. (U.S. Pat. 5,960,061).

**Regarding claim 1:** Petite discloses system and method for accessing residential monitoring device comprising a smoke sensor to sense a threshold level of smoke; an alarm control circuit in communication with the smoke sensor, the alarm control circuit configured to generate a signal in response to the smoke sensor sensing the threshold level of smoke (fig. 2, paragraph 0050 and 0052) and wherein the emergency identification data includes a geographic location of the wireless transceiver (paragraph 0067). Petite does not specifically teach including an enhanced wireless 911 feature with emergency identification data, the transceiver coupled to the alarm control circuit to automatically transmit the emergency identification data to a dispatch center upon receiving the signal from the alarm control circuit. However, programming an integrated memory with an enhanced wireless 911 feature is old and well known in the art as taught by Fahie et al. (col. 2, lines 32-36, and col. 3, lines 39-49). Therefore, it would have been obvious to the skilled artisan to employ the technique of Fahie et al. in the system of Petite in order to provide a comprehensive monitoring system.

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**Regarding claim 6:** Petite discloses the emergency identification data is encoded (paragraph 0009).

**Regarding claim 10:** Petite discloses a disable means for temporarily disabling at least one function of the alarm control circuit (paragraph 0061).

**Regarding claim 12:** All the claimed subject matter is already discussed in respect to claim 1 above.

**Regarding claim 16:** All the claimed subject matter is already discussed in respect to claim 1 above.

**Regarding claim 18:** Petite discloses the geographic location of the wireless smoke alarm is stored in the integrated memory (paragraph 0067).

**Regarding claim 20:** Petite discloses a housing encompassing the integrated memory, the smoke sensor, the alarm control circuit, and the transmitter as shown in figure 2.

**Regarding claim 23:** Petite discloses wherein the alarm control circuit is coupled to an audible alarm that activates when signal is received from the sensor (paragraph 0048).

**Regarding claim 24:** Petite discloses wherein the alarm control circuit is coupled to a visual alarm that activates when signal is received from the sensor (paragraph 0050).

**Regarding claim 26:** Refer to claim 10 above.

**Regarding claim 29:** Petite inherently teaches an audible alarm horn configured to emit a high decibel tone is coupled to the alarm control circuit (paragraph 0048).

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3. Claims 5, 13, 15, and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Petite (US 2001/0024163) in view of Fahie et al. (U.S. Pat. 5,960,061) and further in view of Petite et al. (U.S. Pat. 6,437,692).

**Regarding claim 5:** Petite and Fahie et al. do not teach Global Positioning System (GPS) receiver communication with the wireless transceiver. However, the use of the GPS receiver is known in the art as taught by Petite et al. (fig. 3E, col.10, lines 54-60). Therefore, it would have been obvious to the skilled artisan to utilize the technique of Petite et al. in the system of the combination in order to determine the geographic location of the monitoring device.

**Regarding claim 13:** Refer to claim 5 above.

**Regarding claim 15:** Petite et al. disclose the GPS receiver (col. 10, lines 54-60). It is seen that the device is accurate to within a range of about 0-300 meters.

**Regarding claim 17:** Refer to claim 5 above.

4. Claims 7, 8, and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Petite (US 2001/0024163) in view of Fahie et al. (U.S. Pat. 5,960,061) and further in view of Lamb (U.S. Pat. 6,329,904).

**Regarding claim 7:** Petite discloses a visual alarm (paragraph 0050). Petite and Fahie et al. do not teach strobe light as claimed. However, Lamb discloses apparatus and method for providing weather and other alerts comprising the high-intensity strobe light to produce flashing, bright light (col. 5, lines 15-16). Therefore, it would have been obvious to the skilled artisan to employ the conventional strobe light of Lamb in the system of the combination in order to provide a greater illumination.

**Regarding claim 8:** Lamb discloses the signal strength indicator 37 (fig. 1, col. 7, lines 42-51).

**Regarding claim 25:** Refer to claim 7 above.

5. Claims 19, 21, and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Petite (US 2001/0024163) in view of Fahie et al. (U.S. Pat. 5,960,061) and further in view of Emory, JR. et al. (US 2003/0081735).

**Regarding claim 19:** Petite and Fahie et al. do not teach wherein the transmitter coupled with the integrated memory comprising a cellular telephone. However, Emory, JR et al. disclose system and method for detecting and reporting defective telephone lines and alarm events including the cellular telephone (paragraph 0004). Therefore, it would have been obvious to the skilled artisan to utilize the conventional cellular telephone of Emory, JR et al. in the system of the combination in order to extend the use of the device which is an advantage.

**Regarding claim 21:** Emory, JR et al. disclose a serial number stored in the integrated memory (paragraph 0013).

**Regarding claim 22:** Emory, JR et al. disclose wherein the transmitter is further configured to transmit the serial number (paragraph 0013).

***Allowable Subject Matter***

6. Claim 30 is allowed.

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7. Claims 11, 27, and 28 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Response to Arguments***

8. Applicant's arguments with respect to claims 1, 5-8, 10, 12, 13, 15-26, and 29 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

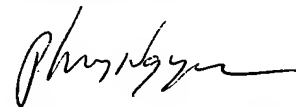
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phung Nguyen whose telephone number is 571-272-2968. The examiner can normally be reached on Monday to Friday from 8:00am to 5:30pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel Wu, can be reached on 571-272-296. The fax phone number for this Group is 571-273-8300.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is 571-272-2600.

Phung Nguyen

A handwritten signature in black ink, appearing to read 'Phung Nguyen', with a long horizontal flourish extending to the right.

Date: August 17, 2005